# **Tuesday, July 10, 2007**

#### STATEMENT OF PROCEEDINGS FOR THE

# REGULAR MEETING OF THE BOARD OF SUPERVISORS

#### OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B

#### OF THE KENNETH HAHN HALL OF ADMINISTRATION

**500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012** 

9:30 AM

Present: Supervisor Gloria Molina, Supervisor Yvonne B. Burke, Supervisor Don

Knabe, Supervisor Michael D. Antonovich and Chairman Zev

Yaroslavsky

Video Transcript Link for Entire Meeting (03-1075)

Video Transcript 1

Video Transcript 2

Invocation led by Father Michael Meyer, St. Margaret Mary Church, Lomita (4).

Pledge of Allegiance led by Ana T. Brown, President, Los Angeles Chapter Women's Marines Association (3).

THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD.

# I. PRESENTATION/SET MATTERS

9:30 a.m.

Special presentation by the Temple City Chamber of Commerce regarding the 605/10 Freeway Interchange, as arranged by Supervisors Antonovich and Molina.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich. (07-0031)

# II. SPECIAL DISTRICT AGENDAS

STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE COUNTY OF LOS ANGELES TUESDAY, JULY 10, 2007 9:30 A.M.

**1-D.** Recommendation: Approve minutes of the meetings of the Community Development Commission for the month of May 2007. (07-1796)

**APPROVED** 

**See Supporting Document** 

Absent:	None
Vote:	Unanimously carried

STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE HOUSING AUTHORITY
OF THE COUNTY OF LOS ANGELES
TUESDAY, JULY 10, 2007
9:30 A.M.

1-H. Recommendation: Approve Loans to the following two developers using City of Industry Redevelopment Housing Set-Aside Funds (Industry Funds), which have been selected through a Notice Of Funding Availability, jointly issued by the Housing Authority and the Community Development Commission on January 2, 2007; authorize the Executive Director to negotiate Loan Agreements with the recommended developers and all related documents, including documents to subordinate the loans to permitted construction and permanent financing and any intergovernmental, interagency, or inter-creditor agreements necessary for the implementation of each development; and authorize the Executive Director to execute amendments to the Loan Agreements and any related document, as may be necessary for the implementation of each development; and find that projects are exempt from the California Environmental Quality Act: (Continued from meeting of 7-3-07 at the request of Supervisor Molina) (07-1763)

Single Room Occupancy Housing Corporation in amount of \$1,957,000, for the James M. Wood SRO Apartments, located at 408 5th St. and 506 S. San Julian St., Los Angeles (1); and

Jovenes, Inc., in amount of \$1,000,000 for Progress Place 1 and 2, located at 407-409 1/2 and 411-413 Progress Pl., Los Angeles (1).

APPROVED WITH THE EXCEPTION OF THAT PORTION RELATING TO THE CONTRACT WITH SINGLE ROOM OCCUPANCY HOUSING CORPORATION, WHICH WAS CONTINUED FOUR WEEKS TO AUGUST 7, 2007.

See Supporting Document
See Final Action

Absent	t:	None
√ote:		Unanimously carried
<b>?-H.</b>	Recommendation: Approve minutes of the meetings of month of May 2007. (07-1798)	f the Housing Authority for the
	APPROVED	
See Su	upporting Document	
Absent	t:	None
√ote:		Unanimously carried

# STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE REGIONAL PARK AND OPEN SPACE DISTRICT OF THE COUNTY OF LOS ANGELES TUESDAY, JULY 10, 2007 9:30 A.M.

**1-P.** Recommendation: Approve minutes of the meeting of the Regional Park and Open Space District for the month of May 2007. (07-1799)

#### **APPROVED**

See Supporting Document	
Absent:	None
Vote:	Unanimously carried

# III. BOARD OF SUPERVISORS 1 - 8

 Recommendations for appointments/reappointments to Commissions/Committees/ Special Districts (+ denotes reappointments): Documents on file in the Executive Office. (07-1816)

# Supervisor Molina

Anthony R. Fellow, Ph.D.+, Water Appeals Board

#### Supervisor Burke

Carl Eugene Moore+, Sybil Brand Commission for Institutional Inspections Reverend Cecil L. Murray+, Commission for Children and Families Joseph T. Rouzan, III+, Los Angeles County Law Enforcement Public Safety Facilities Corporation

# Supervisor Knabe

Ann E. Franzen+, Commission for Children and Families Cindy Skovgard+, Los Angeles County Commission on Aging; also waive limitation of length of service requirement pursuant to County Code Section 3.100.030A

# Los Angeles County Children's Planning Council

David W. Fleming+, Los Angeles County Children's Planning Council; also waive limitation of length of service requirement pursuant to County Code Section 3.100.030A

# **APPROVED**

Absent:	None	
Vote:	Unanimously carried	
excluding the cost of liability insurance,	ervisor Molina: Waive fees in amount of \$350, for use of the County Mall for the Archdiocese estival of Cultures Day, to be held September	
APPROVED		
See Supporting Document See Final Action		
Absent:	None	
Vote:	Unanimously carried	
3. Recommendation as submitted by Supervisor Burke: Extend the \$5,000 reward offered for any information leading to the arrest and conviction of the person or persons responsible for the murder of Victor White, Jr., who was shot while talking on his phone in front of his home located in the 11800 block of Manor Dr., in the City of Hawthorne on January 1, 2005. (06-0945)		
APPROVED		
See Supporting Document See Final Action		
Absent:	None	
Vote:	Unanimously carried	
•	ervisor Burke: Waive fees in amount of \$175,	

4. Recommendation as submitted by Supervisor Burke: Waive fees in amount of \$175, excluding the cost of liability insurance, for use of the Kenneth Hahn State Recreation Area for the Holman United Methodist Church 55+ Fellowship Senior Ministry's annual picnic, to be held July 10, 2007. (07-1823)

# **APPROVED**

See Supporting Document
See Final Action

Absent:	None
Vote:	Unanimously carried
<ol> <li>Recommendation as submitted by Supervisor Burke: Wa excluding the cost of liability insurance, for use of the Ker Area for St. Bernadette Senior Citizens Club's annual pic (07-1827)</li> <li>APPROVED</li> </ol>	nneth Hahn State Recreation
See Supporting Document See Final Action	
Absent:	None
Vote:	Unanimously carried
<ol> <li>Recommendation as submitted by Supervisor Burke: Wa approximately 100 vehicles and the \$175 fee for use of the Recreation Area, excluding the cost of liability insurance, Church of Los Angeles' annual picnic, to be held July 14,</li> </ol>	he Kenneth Hahn State , for St. Andrews Baptist
APPROVED	
See Supporting Document See Final Action	
Absent:	None
Vote:	Unanimously carried
<ol> <li>Recommendation as submitted by Supervisor Antonovicl and the \$8 parking fee for up to 75 vehicles, not to exceed</li> </ol>	

7. Recommendation as submitted by Supervisor Antonovich: Waive the \$800 rental fee and the \$8 parking fee for up to 75 vehicles, not to exceed \$600, excluding the cost of liability insurance, at Frank G. Bonelli Regional Park for the Air Resources Board's Visible Emission Evaluation Training for air quality personnel in the South Coast area, to be held on July 26, 2007 and December 6, and 7, 2007. (07-1828)

# **APPROVED**

See Supporting Document See Final Action

Board of Supervisors Statement of Proceedings for 7/10/2007

# **Community and Municipal Services**

10. Recommendation: Acting as the governing body of County Waterworks District No. 40, Antelope Valley (5), authorize the Director of Public Works to enter into supplemental agreement with Kennedy/Jenks Consultants for a fee not to exceed \$450,000, to provide additional engineering and related services to accelerate the completion of the Antelope Valley Integrated Regional Water Management Plan, and to prepare State Propositions 50, 84 and 1E grant funding project applications. (Department of Public Works) (07-1803)

# **APPROVED**

**See Supporting Document** 

Abse	ent:	None
Vote	:	Unanimously carried
11.	Recommendation: Adopt and advertise plans and speci J. Fox Airfield, Pavement Rehabilitation Phase 3, C.P. N (5), at an estimated cost between \$1,400,000 and \$1,60 for bid opening. (Department of Public Works) (07-1805)	lo. 88730, City of Lancaster 0,000; set August 14, 2007
	ADOPTED	
See	Supporting Document	
Abse	ent:	None
Vote	:	Unanimously carried

file:///Dl/Portal/Sop/071007reg.html (8 of 17)11/14/2008 5:55:55 PM

**Miscellaneous Communications** 

12.

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled <u>Violet C. v. County of Los Angeles, et al.</u> - LASC Case No. BC 318 761, in the amount of \$390,000; and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget. (Continued from meeting of 7-3-07 at the request of County Counsel)

This lawsuit concerns allegations of abuse of a minor while in foster care. (07-1779)

APPROVED WITH THE EXCEPTION OF THE CORRECTIVE ACTION PLAN WHICH WAS CONTINUED THREE WEEKS TO JULY 31, 2007 AND THE BOARD TOOK THE FOLLOWING ACTIONS:

- 1. DIRECTED COUNTY COUNSEL TO PREPARE A REPORT FOR PUBLIC DISCUSSION ON JULY 31, 2007, THAT PROVIDES THE RATIONALE FOR THE ORIGINAL DECISION TO MAKE INFORMATION RELATING TO CLAIMS BOARD EXPLANATIONS AND JUSTIFICATIONS FOR RECOMMENDED SETTLEMENTS PUBLIC, AND WHAT, IF ANYTHING, HAS CHANGED TO JUSTIFY DISCONTINUING THIS PRACTICE:
- 2. DIRECTED THE CHIEF EXECUTIVE OFFICER IN COLLABORATION WITH COUNTY COUNSEL TO DEVELOP A PROCESS FOR PRESENTATION ON JULY 31, 2007, THAT STRIKES AN APPROPRIATE BALANCE BETWEEN THE BOARD'S RESPONSIBILITY TO OPEN GOVERNMENT AND TRANSPARENCY, AND ITS FIDUCIARY DUTY TO THE PUBLIC. SUCH A PROCESS SHOULD APPLY TO ALL PROPOSED SETTLEMENTS OVER \$20,000 AND COULD INCLUDE, BUT IS NOT LIMITED TO, INFORMATION ON THE FAULT ALLEGED, SETTLEMENT AMOUNT PROPOSED, SETTLEMENT JUSTIFICATION, AND ATTORNEYS' FEES EXPENDED IN DEFENSE OF THE CLAIM; AND
- 3. INSTRUCTED COUNTY COUNSEL, ONCE A PROCESS IS APPROVED BY THE BOARD, TO APPLY THE PROCESS RETROACTIVELY TO ALL SETTLEMENTS OVER \$20,000 PRESENTED TO THE CLAIMS BOARD OR TO THE BOARD FOR APPROVAL, SINCE MAY 2007.

See Supporting Document
Video 1
Video 2
Molina Motion
See Final Action

Absent:	None
/ote:	Unanimously carried

13.

14.

15.

Ordinance for adoption to amend the water pipeline franchise granted to Park Water Company, to reflect the Franchisee's purchase of the water pipeline distribution system of La Hacienda Mutual Water Company, and to include in the Franchisee's water services area, the unincorporated territory formerly served by La Hacienda Mutual Water Company. (07-1776)

Ordinance for adoption amending the County Code, Title 2 - Administration, to appoint the Director of Public Works as the lead County officer for water recycling issues and to assign primary responsibility to the Director to coordinate and implement all policies adopted by the Board with respect to water recycling issues.

(07-1770)

# ADOPTED ORDINANCE NO. 2007-0081F. THIS ORDINANCE SHALL TAKE EFFECT AUGUST 9, 2007.

See Supporting Document
See Final Action
See Certified Ordinance

Absent: None

Vote: Unanimously carried

ADOPTED ORDINANCE NO. 2007-0082. THIS ORDINANCE SHALL TAKE

See Supporting Document See Final Action See Certified Ordinance

**EFFECT AUGUST 9, 2007.** 

Absent: None

Vote: Unanimously carried

ADOPTED ORDINANCE NO. 2007-0083. THIS ORDINANCE SHALL TAKE EFFECT AUGUST 9, 2007.

Ordinance for adoption amending the County Code, Title 2 - Administration, Chapter 2.08, to detail the duties and authority exercised by the Chief of Protocol under the supervision of the Chief Executive Officer. (07-1782)

#### V. DISCUSSION ITEM

18.

Recommendation: Approve and instruct the Director of Health Services to offer and execute amendment to the Trauma Center Service Augmentation Agreement (TCSAA) with St. Francis Medical Center (SFMC) (2), at a total estimated maximum amount of \$0.3 million, to provide for the same payment rates to SFMC physicians who provide Trauma Center services to eligible indigent patients as the payment rates they receive for performing services at SFMC under the MetroCare Plan for patients transferred from Martin Luther King, Jr.-Harbor Hospital, and the surrounding County outpatient clinics, up to a maximum length of inpatient stay of six days per admission, effective upon Board approval through November 30, 2007; and authorize the Director of Health Services to extend the agreement for one year through November 30, 2008, at the written request of SFMC, unless the County objects for good cause, upon substantially similar terms and conditions of the agreement. (Department of Health Services) (07-1807)

# **CONTINUED ONE WEEK TO JULY 17, 2007**

See Supporting Document Video

Absent: None

Vote: Common Consent

#### VI. MISCELLANEOUS

- 19. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the green supplemental agenda.
- 19-A. Recommendation as submitted by Supervisor Knabe: Authorize the Chief Executive Officer to take all actions necessary to have the County serve as the public sponsor for a grant submission to the National Resources Conservation Service, in order to secure Federal funds to assist in repairing damage caused by the May 2007 Catalina Island fire, subject to confirmation by the Santa Catalina Island Conservancy that there will be no additional County costs, other than administrative costs, which will be paid for using Fourth District unincorporated services funds. (07-1867)

#### **APPROVED**

See Supporting Document
See Final Action

Absent:	None	
Vote:	Unanimously carried	
19-B.	Fire Chief's recommendation: Acting as the governing body of the Consolidated Fire Protection District, authorize the Director of Internal Services to enter into a lease agreement with Erickson Air-Crane Co., L.L.C., of Central Point, Oregon for exclusive use of a S-64E Helitanker for 120 days effective as soon as possible, in amount not to exceed \$2.5 million for the daily standby costs and flight hours; approve appropriation adjustment to transfer \$2.5 Million from the Fire District's Designation for Budget Uncertainties to the Operations Budget Unit to fund the lease agreement; approve an increase in spending authority for the Fire District's Contact Air Program from \$3.5 million to \$6.0 million; and authorize the Fire Chief to return to the Board for additional expenditure authority should fire conditions or fire activity warrant an extension of the lease agreement. <b>4-VOTES</b> (07-1840)	
See Sup	porting Document	
Absent:	None	
Vote:	Unanimously carried	
20. Ite	ems not on the posted agenda, to be presented and (if requested) referred to	

staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

Introduced for discussion and placed on the agenda of July 17, 2007 for consideration:

20-A. Recommendation as submitted by Supervisor Yaroslavsky: Support S. 625 (Kennedy and Cornyn) and H.R. 1108 (Waxman and Davis), the Family Smoking and Tobacco Control Act, legislation which will allow the Federal Food and Drug Administration to regulate the manufacturing, marketing and distribution of tobacco products; send a five-signature letter to the Los Angeles County Congressional Delegation expressing the Board's support for both S. 625 and H.R. 1108; and instruct the County's Legislative Advocates in Washington, D.C. to pursue the County's position on these important public health bills. (07-1817)

# See Supporting Document

20-B. Recommendation as submitted by Supervisors Yaroslavsky and Burke: Instruct the Chief Executive Officer (CEO) to consult with the Westside Cities Council of Governments (WSCCOG) in the development of an amendment to the WSCCOG Joint Powers Authority (JPA), to include the County of Los Angeles as an official member of the WSCCOG, with Supervisor Yaroslavsky as the Board's Delegate and Supervisor Burke as Alternate Delegate to represent the County on the WSCCOG; also instruct the CEO to identify a funding source to pay the WSCCOG's annual dues which are \$15,000 per member for Fiscal Year 2007-08; and report back within 45 days for the Board's consideration of the proposed amendment to the JPA, and recommended funding for the Fiscal Year 2007-08 annual dues. (07-1896)

# **See Supporting Document**

- 21. Recommendations by individual Supervisors to establish, extend or otherwise modify cash rewards for information concerning crimes, consistent with the Los Angeles County Code.
- 21-A Recommendation as submitted by Supervisor Antonovich: Establish a reward of \$10,000 for any information leading to the arrest and conviction of the person or persons responsible for the fatal shooting of Britanni Idom while driving west on Washington Blvd. near Crenshaw, in the Lafayette Square area of Los Angeles on July 6, 2007 at approximately 1:30 a.m. (07-1892)

# **APPROVED**

See Supporting Document
See Final Action

Absent:	None
Vote:	Unanimously carried
Public Comment 22	

**22.** Pursuant to Government Code Section 54954.3, opportunity was given for members of the public to address the Board.

TRICIA THAYER ADDRESSED THE BOARD.

DR. GENEVIEVE CLAVREUL ADDRESSED THE BOARD ON THE SUBJECT OF ITEM NO. CS - 1, CONSIDERATION OF CANDIDATES FOR PUBLIC

EMPLOYMENT FOR THE POSITION OF CHIEF EXECUTIVE OFFICER, PURSUANT TO GOVERNMENT CODE SECTION 54957; AND CONFERENCE WITH LABOR NEGOTIATOR, MICHAEL J. HENRY, DIRECTOR OF PERSONNEL, PURSUANT TO GOVERNMENT CODE SECTION 54957.6; UNREPRESENTED **EMPLOYEES: CANDIDATES FOR THE POSITION OF CHIEF EXECUTIVE** OFFICER, PRIOR TO THE BOARD ADJOURNING TO CLOSED SESSION. (07-1902)

Video

Video 2

# Adjourning Motions 23

23. On motions, duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

#### Supervisor Burke

Elias A. Blake, Jr. Sergeant Thomas P. McGee, Jr.

# Supervisor Knabe

Hermogenes Arias Reyes Norman L. Riggin III Robin Tole

# Supervisor Yaroslavsky

Richard Dillon Henry Louise York

# Supervisor Antonovich and All Members of the Board

Golda Alice Greuel

# **Supervisor Antonovich**

Eugene B. Fluckey Norman Jachens Tracy Jara **Thomas Jeffers Garrett Kreditor** Rod Leonard

Louise M. Osterman

Aaron L. Raznick

Hy Zaret (07-1901)

# VII. ITEMS CONTINUED FROM PREVIOUS MEETINGS FOR FURTHER DISCUSSION AND ACTION BY THE BOARD

A-1.

Continue local emergencies as a result of the following: (a) Discovery of an infestation of fruit flies, as proclaimed on May 10, 1990; and (b) Evacuation to Los Angeles County of the Hurricane Katrina disaster victims as proclaimed by the Chair and ratified by the Board on September 13, 2005.

# **REVIEWED AND CONTINUED**

# VIII. CLOSED SESSION MATTER

C	S-
1	

PUBLIC EMPLOYMENT

(Government Code Section 54957)

Title: Chief Executive Officer

**CONFERENCE WITH LABOR NEGOTIATOR** 

(Government Code Section 54957.6)

Agency Representative: Michael J. Henry, Director of Personnel

Unrepresented Employees: Candidates for position of Chief Executive Officer

(07-1729)

# IN OPEN SESSION, THE BOARD TOOK THE FOLLOWING ACTIONS:

- 1. PURSUANT TO COUNTY CODE SECTION 2.06.010, THE BOARD APPOINTED WILLIAM T FUJIOKA TO THE POSITION OF CHIEF EXECUTIVE OFFICER, WITH AN ANNUAL SALARY OF \$310,000, EFFECTIVE JULY 30, 2007; AND
- 2. INSTRUCTED THE DIRECTOR OF PERSONNEL TO EXECUTE AN AT WILL EMPLOYMENT CONTRACT WHICH IS APPROVED AS TO FORM BY THE COUNTY COUNSEL.

Absent:	None
Vote:	Unanimously carried

#### Reconvene 24

24. Open Session adjourned to Closed Session at 10:47 a.m. following Board Order No. 23 to:

#### CS-1.

Consider candidates for Public Employment for the position of Chief Executive Officer, pursuant to Government Code Section 54957; and

Confer with the Labor Negotiator, Michael J. Henry, Director of Personnel, pursuant to Government Code Section 54957.6:

Unrepresented Employees: Candidates for position of Chief Executive Officer.

# See Final Action

Closed Session convened at 11:06 a.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Don Knabe, Supervisor Michael D. Antonovich and Zev Yaroslavsky, Chair presiding.

Closed Session adjourned at 2:50 p.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Don Knabe, Michael D. Antonovich and Zev Yaroslavsky, Chair presiding.

Open Session reconvened at 4:10 p.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Don Knabe, Michael D. Antonovich and Zev Yaroslavsky, Chair presiding. (07-1899)

# Closing 25

25. The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting at 4:20 p.m. following Board Order No. 24.

The next regular meeting of the Board will be Tuesday, July 17, 2006 at 9:30 a.m. (07-1900)

The foregoing is a fair statement of the proceedings of the Special Meeting relating to the 2007-08 Budget Deliberations held on Monday, June 18, 2007 by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Sachi A. Hamai, Executive Officer Executive Officer-Clerk of the Board of Supervisors